

EXHIBIT “A”

JOHN COUNTY SUPERIOR COURT
JOHN COUNTY
33 NEWARK AVENUE
JERSEY CITY NJ 07306

TRUCK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (201) 217-5111
COURT HOURS 9:00 AM - 4:00 PM

DATE MARCH 21, 2017
RE OUTLETPOST AT LAND AIR EXPRESS, INC. LTD. ET AL
DOCKET: HUD L-001146-17

THE ABOVE CASE HAS BEEN ASSIGNED TO TRACK 2

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST

THE PRETRIAL JUDGE ASSIGNED IS: HON JOSEPH V. ISABELLA

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
78 (201) 795-6116

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE


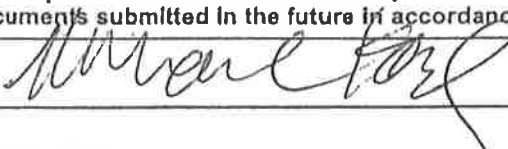
WITH R. 4:5A-2.

ATTENTION:

ATT: MICHAEL C. KAZER
MICHAEL C. KAZER, P.C.
29 WASHBURN ST
JERSEY CITY NJ 07306

000044

Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
 <p>Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), If information above the black bar is not completed or attorney's signature is not affixed</p>		PAYMENT TYPE: <input type="checkbox"/> CK <input type="checkbox"/> CG <input type="checkbox"/> CA CHG/CK NO. _____ AMOUNT: _____ OVERPAYMENT: _____ BATCH NUMBER: _____	
ATTORNEY / PRO SE NAME Michael C. Kazer		TELEPHONE NUMBER (201) 792-9766	COUNTY OF VENUE HUDSON
FIRM NAME (if applicable) Michael C. Kazer, P.C.		DOCKET NUMBER (when available) L-146-17	
OFFICE ADDRESS 69 Washburn Street Jersey City, NJ 07306		DOCUMENT TYPE Complaint	
NAME OF PARTY (e.g., John Doe, Plaintiff) Victor Gutierrez (Plaintiff)		CAPTION Victor Gutierrez vs. Land Air Express NE, LTD, et al	
CASE TYPE NUMBER (See reverse side for listing) 603 N	HURRICANE SANDY-RELATED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
RELATED CASES PENDING? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, LIST DOCKET NUMBERS	
NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known)		<input type="checkbox"/> NONE <input type="checkbox"/> UNKNOWN	
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.			
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION			
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, IS THAT RELATIONSHIP: <input type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR <input type="checkbox"/> OTHER (explain) <input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS	
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION			
DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
WILL AN INTERPRETER BE NEEDED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		IF YES, FOR WHAT LANGUAGE? Spanish	
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).			
ATTORNEY SIGNATURE: 			

Aw

MICHAEL C. KAZER, ESQUIRE
69 Washburn Street
Jersey City, New Jersey 07306
(201) 792-9766
Attorney ID# 013551976
Attorney for Plaintiff(s)

FILED
CUSTOMER SERVICE TEAM

MAR 16 2017

SUPERIOR COURT OF NEW JERSEY
COUNTY OF HUDSON
CIVIL DIVISION #4

PLAINTIFF(s)

VICTOR GUTIERREZ and MARTA AGURTO
his wife

vs.

DEFENDANT(s)

LAND AIR EXPRESS, NE, LTD; ERIC J. FOSTER
and FARMERS INSURANCE COMPANY

: SUPERIOR COURT OF NEW JERSEY
: HUDSON COUNTY: LAW DIVISION
: DOCKET NO: HUD-L-1746-17

CIVIL ACTION

: **COMPLAINT AND JURY DEMAND**
: **AND DEMAND FOR ANSWERS**
: **INTERROGATORIES**

Plaintiff(s), **VICTOR GUTIERREZ and MARTA AGURTO**, residing at

516 Paterson Plank Road, Apt 2F, City of Jersey City, County of Hudson and
State of New Jersey, by way of complaint, say:

FIRST COUNT

1. On April 14, 2015, and at all times hereinafter mentioned, plaintiff,
VICTOR GUTIERREZ, was the operator of a motor vehicle travelling West on
Rt. 120 North/ Paterson Plank Rd, City of Carlstadt, County of Bergen and State
of New Jersey.

2. On the aforementioned date and time, the defendant, **ERIC J.**
FOSTER was the operator of a vehicle owned by defendant **LAND AIR**
EXPRESS, NE LTD, which was traveling East on Rt. 120 South/ Paterson Plank
Rd, City of Carlstadt, County of Bergen and State of New Jersey and making a
left turn onto Gotham Parkway.

3. On the aforementioned date the defendant, **ERIC J. FOSTER** was operating within the scope of his employment.

4. The defendants did so carelessly and negligently operate their motor vehicle herein so as to cause the collision to occur.

5. As a direct and proximate result of the negligence of the defendants, as aforesaid, the plaintiff, **VICTOR GUTIERREZ** has sustained severe personal injuries, have and will be caused to sustain great pain and suffering, have been and will be caused to expend large sums of money in an effort to cure themselves of their injuries, have been and will be deprived of attending to their usual occupation, to their great loss and damage.

WHEREFORE, Plaintiff(s), **VICTOR GUTIERREZ** demands judgment against the defendants for damages together with interest and costs of suit.

SECOND COUNT

1. The Plaintiff, **MARTA AGURTO** repeats each and every allegation of the First Count as if same were set forth herein at length.

2. On the aforementioned date and place, the plaintiff, **MARTA AGURTO**, was and still is the wife of the plaintiff **VICTOR GUTIERREZ** and as such is entitled to his services, society, companionship and attention, and by reason of the injuries sustained by plaintiff **VICTOR GUTIERREZ**, this plaintiff, was deprived of his services, society and companionship and was and will be obliged to provide for his medical care and attention.

WHEREFORE, plaintiff, **MARTA AGURTO** demands judgment on this count against the defendants, for damages together with interest and cost of suit.

THIRD COUNT

1. Plaintiff, **VICTOR GUTIERREZ** individually repeat each and every allegation of the First Count as if set forth herein at length.

2. At said time and place, there existed PIP coverage in plaintiff's household.

3. On the aforesaid date, **VICTOR GUTIERREZ**, was insured for personal injury protection coverage by defendant **FARMERS INSURANCE COMPANY** under Policy No.: 192189816, Claim No.: 30031387571-2.

4. Plaintiff **VICTOR GUTIERREZ** gave notice to the defendant, **FARMERS INSURANCE COMPANY** of the accident aforesaid, and of the personal injuries sustained therein, and made claim for payment of the personal injury protection benefits afforded by the policy aforesaid, and required to be maintained by the statute in such cases made and provided.

5. The defendant, **FARMERS INSURANCE COMPANY** may not have honored all claims of the plaintiff herein for payment of Personnel Injury Protection Benefits.

WHEREFORE, plaintiff, **VICTOR GUTIERREZ** demands judgment against the defendant for Personal Injury Protection Benefits, attorney's fees together with interest and costs of suit.



MICHAEL C. KAZER
ATTORNEY FOR PLAINTIFF(S)

Dated: March 16, 2017

JURY DEMAND

Plaintiffs hereby demand a trial by jury as to all issues herein.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R.4:25-4, MICHAEL C. KAZER, ESQUIRE, has been designated Trial Counsel in the above captioned matter.



MICHAEL C. KAZER
ATTORNEY FOR PLAINTIFF(S)

Dated: March 16, 2017

DEMAND FOR ANSWERS TO INTERROGATORIES

The plaintiff(s) demands answers from the defendant(s) to Form C and C (1) Interrogatories, in accordance with the Rules of the Court.

Law Office of MICHAEL C. KAZER

BY: 

MICHAEL C. KAZER
Attorney(s) for Plaintiff(s)

Dated: March 16, 2017

CERTIFICATION

MICHAEL C. KAZER, Attorney at Law, admitted to practice before the Courts of the State of New Jersey, hereby certifies as follows:

1. I am the attorney handling the case of the plaintiff in the above captioned matter.

2. To the best of my knowledge, information and belief, this matter is not the subject of any other pending action in any other Court or any pending Arbitration proceeding.

3. This matter is eligible for Arbitration pursuant to the Arbitration rules.

I hereby certify that all of the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


MICHAEL C. KAZER

Dated: March 16, 2017